



## LODI CITY COUNCIL

Carnegie Forum  
305 West Pine Street, Lodi

## AGENDA – REGULAR MEETING

Date: December 20, 2006

Time: Closed Session 5:30 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

**NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

### **C-1 Call to Order / Roll Call**

### **C-2 Announcement of Closed Session**

- a) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Lodi City Mid-Management Association, Maintenance and Operators and General Services Groups, Police Officers Association, Professional Firefighters, and Fire Mid-Managers pursuant to Government Code §54957.6
- b) Actual Litigation: Government Code §54956.9(a); One Case; Peter Rose, et al. v. City of Lodi, United States District Court, Eastern District, Case No. 2:05-CV-2232 GEB/PAN and Consolidated Cases
- c) Prospective Acquisition of Real Property for Street Easement Deed Dedications from Certain Property Owners Located within the Lockeford Street Widening Project Limits, Lodi, California, for Right-of-Way; the Negotiating Parties are Michael Guddal (APN #041-230-35); Cuong Van and Nhai Le (APN #041-230-42); Douglas A. and Susan Larsson (APN #041-230-08); Dale and Susan Werner, Jr. (APN #041-230-34), and City of Lodi; Government Code §54956.8 (PW)
- d) Prospective Acquisition of Real Property for Street Easement Deed Dedications from Certain Property Owners Located within the Turner Road/Lower Sacramento Road Project Limits, Lodi, California, for Right-of-Way; the Negotiating Parties are General Mills (APN #s 015-230-31 and 015-230-40), Lodi Unified School District (APN # 015-170-10), and City of Lodi; Government Code §54956.8 (PW)
- e) Actual Litigation: Government Code §54956.9(a); One Case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- f) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

### **C-3 Adjourn to Closed Session**

**NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.**

### **C-4 Return to Open Session / Disclosure of Action**

#### **A. Call to Order / Roll call**

#### **B. Invocation – Pastor Dale Edwards, Century Assembly Church**

#### **C. Pledge of Allegiance**

**D. Presentations**

- D-1 Awards – None
- D-2 Proclamations – None
- D-3 Presentations – None

**E. Consent Calendar (Reading; Comments by the public; Council action)**

- E-1 Receive Register of Claims in the amount of \$1,478,257.91 (FIN)
- E-2 Approve minutes (CLK)
  - a) September 12, 2006 (Shirtsleeve Session)
  - b) September 14, 2006 (Special Joint Meeting w/Lodi Planning Commission)
  - c) November 28, 2006 (Shirtsleeve Session)
  - d) November 29, 2006 (Special Meeting)
  - e) December 5, 2006 (Special Meeting)
  - f) December 5, 2006 (Shirtsleeve Session)
  - g) December 6, 2006 (Regular Meeting)
  - h) December 12, 2006 (Shirtsleeve Session)
- E-3 Receive Quarterly Report of Purchases between \$5,000 and \$20,000 (FIN)
- Res. E-4 Adopt Resolution Approving the City of Lodi Annual Investment Policy and Internal Control Guidelines (FIN)
- Res. E-5 Adopt Resolution Authorizing the Purchase of Four Mobile Digital Computers for Newly Purchased Patrol Cars from Data 911, of Alameda, California (\$24,936.37), from the Vehicle Theft Account (PD)
- Res. E-6 Adopt Resolution Authorizing the City Manager to Execute a Professional Services Agreement for Benefits Administration Consulting Services for the City of Lodi with ABD Insurance & Financial Services (\$25,000) (HR)
- Res. E-7 Adopt Resolution Approving AB1234 Expense Reimbursement Policy (CM)
- Res. E-8 Adopt Resolution Approving Impact Mitigation Fee Program Annual Report for Fiscal Year 2005-06 (PW)
- Res. E-9 Adopt Resolution to Vacate Six-Foot Public Utility Easement at 710 North Sacramento Street (PW)
- Res. E-10 Adopt Resolution Authorizing Destruction of Certain Records Retained by the Lodi Police Department (PD)
- Res. E-11 Adopt Resolution Requesting the San Joaquin Regional Rail Commission to Utilize the Union Pacific Railroad through Downtown Lodi for the Merced to Sacramento Commuter Rail Service (CD)
- Res. E-12 Adopt Resolution Declining to Succeed to a Williamson Act Contract within the Reynolds Ranch Area (CD)
- E-13** Set Public Hearing for January 3, 2007, to Consider Implementation of a New Substation and Transmission System Charge to be Assessed as a Development Impact Fee upon Future Electric Utility Customers Outside Existing City Boundaries and Making Corresponding Amendments to the Applicable Electric Utility Department Rules and Regulations (EUD)

**F. Comments by the public on non-agenda items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**G. Comments by the City Council Members on non-agenda items**

**H. Comments by the City Manager on non-agenda items**

**I. Public Hearings**

Res. I-1 Public Hearing to Consider Resolution to Vacate Two Public Utility Easements Located at 1028 South School Street and 1029 South Sacramento Street (PW)

Res. **I-2** Public Hearing to Consider Resolution Establishing Area of Benefit and Reimbursable Costs for Lower Sacramento Road (Kettleman Lane to Harney Lane) Improvements (PW)  
**NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31**

**J. Communications**

J-1 Claims filed against the City of Lodi – None

J-2 Appointments

a) Post for One Vacancy on the Recreation Commission (CLK)

J-3 Miscellaneous

a) Monthly Protocol Account Report (CLK)

**K. Regular Calendar**

Res. K-1 Adopt Resolution Implementing the Treatment and Direct Utilization of the Surface Water Supply from the Woodbridge Irrigation District Contractual Allotment and Authorizing Solicitation of Proposals for Technical Studies of Implementing this Option or Direct Staff in the Alternative (PW)

K-2 Electric Utility, Water, and Wastewater Utility 1<sup>st</sup> Quarter Fiscal Year 2007 Financial Reports (CM)

Res. K-3 Adopt Resolution Amending the Electric Utility Department Rules and Regulations Nos. 13, 15, and 16 to Recover the Full Cost of Expanding the Electric Distribution System from New Electric Load to be Effective 60 Days after Adoption (EUD)

**L. Ordinances – None**

**M. Adjournment to the following agency meetings:**

M-1 Meeting of the Lodi Public Improvement Corporation

M-2 Meeting of the Industrial Development Authority

M-3 Meeting of the Lodi Financing Corporation

M-4 Meeting of the City of Lodi Redevelopment Agency

**N. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Randi Johl  
City Clerk



**LODI CITY COUNCIL**  
**Carnegie Forum**  
**305 West Pine Street, Lodi**

**AGENDA - Lodi Public Improvement Corp.**

**Date: December 20, 2006**

**Time: 7:00 p.m.**

For information regarding this Agenda please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

***MEETING OF THE  
Public Improvement Corporation (PIC)  
of the City of Lodi***

- A. Call to order – President
- B. Roll call to be recorded by Secretary
- Res. C. Resolution electing new Officers
- D. Other business
- E. Comments by the public on non-agenda items
- F. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Randi Johl  
Secretary  
Lodi Public Improvement Corporation



**LODI CITY COUNCIL**  
**Carnegie Forum**  
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**AGENDA - Industrial Development Authority**

**Date: December 20, 2006**

**Time: 7:00 p.m.**

For information regarding this Agenda please contact:

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**Telephone: (209) 333-6702**

**Industrial Development Authority (IDA)**  
**of the City of Lodi**

- A. Call to order – Chairperson
- B. Roll call to be recorded by Secretary
- Res. C. Resolution electing new Officers
- D. Other business
- E. Comments by the public on non-agenda items
- F. Adjournment

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Randi Johl  
Secretary  
Industrial Development Authority



**LODI CITY COUNCIL**  
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**AGENDA - Lodi Financing Corporation**

**Date: December 20, 2006**

**Time: 7:00 p.m.**

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***MEETING OF THE***  
***Lodi Financing Corporation***

- A. Call to order – President
- B. Roll call to be recorded by Secretary
- Res. C. Resolution electing new Officers
- D. Other business
- E. Comments by public on non-agenda items
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Randi Johl  
Secretary  
Lodi Financing Corporation



**LODI CITY COUNCIL**  
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**AGENDA – Redevelopment Agency**

**Date: December 20, 2006**

**Time: 7:00 p.m.**

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**City Clerk**

**Telephone: (209) 333-6702**

**MEETING OF THE**  
**Redevelopment Agency**  
**Of the City of Lodi**

- A. Call to order – Chairperson
- B. Roll call to be recorded by Secretary
- Res. C. Resolution electing new Officers
- D. Other business
- E. Comments by the public on non-agenda items
- F. Adjournment

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Randi Johl  
Secretary  
Redevelopment Agency of the City of Lodi